

## NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 04-51

Petition of Massachusetts Electric Company, pursuant to G.L. c. 164, § 14, for authorization and approval to: (1) execute one or more loan agreements or supplemental loan agreements with the Massachusetts Development Financing Authority in connection with the issuance of new tax exempt debt to refinance outstanding tax-exempt bonds, in an amount not to exceed \$40 million, together with related financing and security agreements, and (2) issue one or more additional series of pledge first mortgage bonds. Massachusetts Electric Company also seeks an exemption from the requirements of G.L. c. 164, § 15.

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On May 13, 2004, Massachusetts Electric Company ("Company"), filed with the Department of Telecommunications and Energy ("Department"), pursuant to G.L. c. 164, § 14, a petition for authorization and approval to: (1) execute one or more loan agreements or supplemental loan agreements with the Massachusetts Development Financing Authority in connection with the issuance of new tax exempt debt in an amount not to exceed \$40 million, together with related financing and security agreements, and (2) issue one or more additional series of pledge first mortgage bonds. According to the Company, it will use the proceeds of such issuances to redeem and refinance \$40 million of tax-exempt revenue bonds. The Company also seeks an exemption from the competitive bidding requirements of G.L. c. 164, § 15.

The Department will conduct a public hearing to receive comments on the Company's petition, immediately followed by an evidentiary hearing. The hearing will take place on Friday, July 16, 2004, at 10:00 a.m. at the Department's offices, One South Station - 2<sup>nd</sup> Floor, Boston, MA 02110. Any person who desires to comment may do so at the public hearing or submit written comments to the Department not later than the close of business (5:00 p.m.) on Friday, July 16, 2004.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of

business (5:00 p.m.) on Thursday, July 15, 2004. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03, including a description of the manner in which the petitioner is substantially and specifically affected by this proceeding. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A late filed petition may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original and four (4) copies of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station - 2<sup>nd</sup> Floor, Boston, MA 02110. One copy of all written comments and petitions to intervene should also be sent to counsel for the Company, Amy G. Rabinowitz, Esq., 25 Research Drive, Westborough, MA 01582-0099 (508) 389-2975.

Also, please submit all filings to the Department in electronic format using one of the following methods:

(1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 04-51), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Corel Word Perfect (naming the document with a ".wpd" suffix), in Microsoft Word (naming the document with a ".doc" suffix) or as an Adobe PDF file (naming the document with a ".pdf" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All filings submitted in electronic format will be posted on the Department's Web site: <http://www.mass.gov/dpu>.

A copy of the Company's petition is available for inspection Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., at the Department's offices at One South Station - 2<sup>nd</sup> Floor, Boston, MA, and at the offices of the Company, 25 Research Drive, Westborough, MA. A copy of the Company's petition is also available on the Department's Web site <http://www.mass.gov/dpu>.

### ORDER OF NOTICE

D.T.E. 04-51

Petition of Massachusetts Electric Company, pursuant to G.L. c. 164, § 14, for authorization and approval to: (1) execute one or more loan agreements or supplemental loan agreements with the Massachusetts Development Financing Authority in connection with the issuance of new tax exempt debt to refinance outstanding tax-exempt bonds, in an amount not to exceed \$40 million, together with related financing and security agreements, and (2) issue one or more additional series of pledge first mortgage bonds. Massachusetts Electric Company also seeks an exemption from the requirements of G.L. c. 164, § 15.

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Massachusetts Electric Company ("Company") shall, no later than fourteen (14) days prior to Friday, July 16, 2004, publish the attached notice of filing and public hearing in the Boston Globe or Boston Herald. The Company shall also serve a copy of the notice on the service list for Massachusetts Electric Company, D.P.U. 96-25 (1997). The Company is required to make return of service at the time of the public hearing.

By Order of the Department,

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Mary L. Cottrell, Secretary

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